



February 1, 2002

SENATE BILL No. 360

DIGEST OF SB 360 (Updated January 31, 2002 1:07 PM - DI 106)

Citations Affected: IC 22-11.

Synopsis: Civil actions concerning LP gas containers. Permits an individual to bring a civil action against a person who misuses a liquified petroleum (LP) gas container. Permits the prevailing party to recover court costs and attorney's fees.

Effective: July 1, 2002.

Harrison

January 8, 2002, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.
January 31, 2002, amended, reported favorably — Do Pass.

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SB 360—LS 6924/DI 106+



February 1, 2002

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

SENATE BILL No. 360

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 22-11-15-5.1 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2002]: **Sec. 5.1. (a) A person injured as a**
4 **result of an act or practice that violates this chapter may bring a**
5 **civil action:**
6 **(1) for declaratory relief;**
7 **(2) for injunctive relief; or**
8 **(3) to recover compensatory damages;**
9 **against the person violating this chapter. If a person is awarded**
10 **compensatory damages under this chapter, the court shall treble**
11 **the compensatory damages award.**
12 **(b) An action brought under this section must be commenced**
13 **not later than two (2) years after the date of the alleged violation.**
14 **(c) A court may award costs and reasonable attorney's fees to**
15 **the prevailing party in an action brought under subsection (a).**

SB 360—LS 6924/DI 106+



COMMITTEE REPORT

Mr. President: The Senate Committee on Corrections, Criminal and Civil Procedures, to which was referred Senate Bill No. 360, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 12, delete "A person threatened with injury from an act or practice that".

Page 1, delete lines 13 through 16.

Page 1, line 17, delete "(c)".

Page 1, run in lines 12 and 17.

Page 2, line 2, delete "(d)" and insert "(c)".

Page 2, line 2, delete ":".

Page 2, line 3, delete "(1)".

Page 2, run in lines 2 through 3.

Page 2, line 4, delete ";" and insert ".".

Page 2, delete lines 5 through 7.

and when so amended that said bill do pass.

(Reference is to SB 360 as introduced.)

LONG, Chairperson

Committee Vote: Yeas 8, Nays 2.

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